

## PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2005New XX

Previous Year (below line/defer) \_\_\_\_\_

Issue: Patriot ActLead Department: Public SafetyGeneral Plan Element or Sub-Element: Police Services Sub-Element

## 1. What are the key elements of the issue? What precipitated it?

At the Council meeting of December 7, 2004 Councilmember Fowler sponsored a study issue to develop a resolution on the provisions of the Patriot Act. Specifically, Councilmember Fowler wanted to assess and analyze the effect of the Patriot Act on municipal government operations in the City of Sunnyvale. Councilmembers Lee and Miller co-sponsored.

## 2. How does this relate to the General Plan or existing City Policy?

Action Statement 4.1D.2c, *Provide professional input to Council when considering community position on legislative issues*

Goal 4.1A, *Provide a safe and secure environment for people and property in the community*

Action Statement 4.1D.1a, *Identify and maintain liaison with appropriate governmental and private agencies and organizations*

Policy 4.1A.4, *Reduce crime and fear by strengthening police/community partnership*

The Library Sub-Element was adopted by the City Council on April 8, 2003, RTC#03-116. Pertinent sections include:

Section VI. C. LAWS AFFECTING PUBLIC LIBRARY SERVICES  
FEDERAL LEGISLATION

USA PATRIOT ACT

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA Patriot Act) was passed by Congress on October 26, 2001. The Act has changed rules regarding when court orders may be obtained, what places can be searched and the persons and things which may be seized. These changes affect the confidentiality of library patron

records and may effect the way future policy is set. (P.28)

Appendix XI. C LIBRARIES: AN AMERICAN VALUE

- We protect each individual's privacy and confidentiality in the use of library resources and services;

Adopted by the Council of the American Library Association

February 3,  
1999

3. Origin of issue:

Council Member(s):

Councilmembers Fowler, Lee,  
Miller

General Plan:

City Staff:

Board or Commission (identify  
name of the advisory body from  
the list below):

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and  
Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue \_\_\_\_\_ of \_\_\_\_\_

Board or Commission ranking comments:

4. Multiple Year Project? Yes\_\_\_ No XX Expected Year Completed 2005
5. Estimated work hours for completion of the study issue (use 5 or 8-hour increments):

(a) Estimated work hours from the lead department

40

(b) Estimated work hours from consultant(s) if applicable:

(c) Estimated work hours from the City Attorney's Office:

(d) Estimated work hours from Finance:

(e) Estimated work hours from other department(s):

Department: Library

25

Department:

Department:

Total Estimated Hours:

65

6. Expected participation involved in the study issue process?
- (a) Does Council need to approve a work plan?

Yes \_\_\_ No X

(b) Does this issue require review by a Board/Commission? If so, please list below:

Yes \_\_\_ No X

(c) Is a Council Study Session anticipated?

Yes X No \_\_\_

(d) What is the public participation process? The Study Session will be posted and open to the public.

7. Cost of Study: Please mark appropriate item below.

XX Costs covered in operating budget – 481 Police Services

\_\_\_ Costs covered by project - <project name>

\_\_\_ Budget modification needed for study - <\$ Amount>

Explain below what the additional funding will be used for:

8. Potential fiscal impact to implement recommendations in the Study approved by Council, if any:

Mark a range for the items below:	\$500 or none	\$50K or less	\$51K - \$100K	\$101K - \$500K	\$501K or more
Capital expenditure range					
Operating expenditure range	XX				
New revenues/savings range					

**Explain impact briefly:** Basic research and coordination of this issue will be conducted by existing staff in the Department of Public Safety and the Library. Other lower priority tasks or activities may be eliminated or delayed as a result of this effort.

**9. Staff Recommendation for this calendar year:****"For" Study XX Explain:**


It is appropriate for Council to evaluate the impact of this legislation on government operations in the City of Sunnyvale. Important issues may include potential diversion of local resources to functions that are properly Federal in nature, and personal privacy.

**"Against" Study      Explain. If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:**

**No Recommendation**

*Note: If staff's recommendation is "for study" or "against study", the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities*

Reviewed by

  
Department Director

12/8/04

Date

Approved by

  
City Manager

12/8/04

Date